

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ELSMERE PARK CLUB, L.P.,
a Delaware limited partnership,

Plaintiff,

v.

TOWN OF ELSMERE, a Delaware
municipal corporation, ELLIS
BLOMQUIST, EUGENE BONEKER,
and JOHN GILES,

Defendants.

Civil Action No. 04-1321

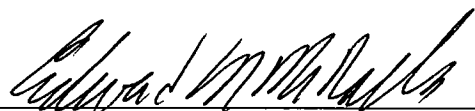
JURY TRIAL DEMANDED

NOTICE OF FILING WITH CLERK'S OFFICE

Notice is hereby given that the Substitute Appendix In Support Of Defendants' Opening Brief In Support Of Their Motion For Summary Judgment will be manually filed with the Court on September 16, 2005, and is available in paper form only.

The original document is maintained in the case file in the Clerk's Office.

MORRIS, JAMES, HITCHENS & WILLIAMS LLP



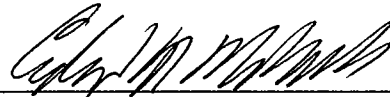
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Dated: September 16, 2005

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2005, I manually filed the Substitute Appendix In Support Of Defendants' Motion For Summary Judgment with the Clerk of Court. The foregoing Notice of Filing With Clerk's Office was electronically filed with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

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